

**Enrolled Minutes of the Fourteenth Regular Meeting
Of the Twenty-Sixth Highland Town Council
Monday, August 11, 2008**

Study Session. The Twenty Sixth Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, August 11, 2008 at 6:30 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Bernie Zemen, Mark A. Herak, Dan Vassar, Brian Novak and Konnie Kuiper were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council discussed the agenda of the imminent meeting.
2. The Town Council discussed the fee waiver for the use of the dumpster, limited to storm related debris, pursuant to the current authority of the Town Council President under, Section § 170.13 of the Municipal Code. It was noted that no provision exists for the recycling bins and many residents were purchasing replacements owing to the losses of them due to the storm.

The study session ended at 6:55 O'clock p.m.

Regular Meeting. The Twenty Sixth Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, August 11, 2008 at 7:00 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President Bernie Zemen presided and the Town Clerk-Treasurer was present to memorialize the proceedings.

The session was opened with the Town Councilor Dan Vassar leading the pledge of allegiance to the United States Flag and offering a prayer.

Roll Call: Councilors Bernie Zemen, Mark A. Herak, Dan Vassar, Brian Novak and Konnie Kuiper were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: Rhett L. Tauber, Town Council Attorney; John Bach, Public Works Director; Peter T. Hojnicky, Metropolitan Police Chief; Kenneth J. Mika, Building Commissioner; William R. Timmer, CFOD, Fire Chief; Cecile Petro, Redevelopment Director and Alex M. Brown, CPRP, Parks and Recreation Superintendent.

Lisa Gauthier of the Special Events Advisory Committee; and Dennis Tobin, Larry Vassar, Carolyn Turich, and Tom Arnold of the Park and Recreation Board were also present.

Minutes of the Previous Session

The minutes of the regular meeting of 28 July 2008 were approved by general consent.

Special Orders:

1. **Public Hearing:** Proposed Additional Appropriations in Excess of the 2008 Budgets in Building & Inspection Department, the Fire Department, the Office of the Clerk-Treasurer, and the Sanitation Department, with a reduction in the Town Manager Department all of the Corporation General Fund.

(a) Attorney verification of Proofs of Publication: The Town Attorney indicated that the proofs of publication were in compliance with IC 5-3-1. (Appeared in The TIMES 25 July 2008.)

(b) Public Hearing. The Town Council President called the hearing to order.

1. James Diehl, 10105 Kennedy Avenue, Highland, asked for clarification regarding the purposes of the proposed additional appropriations.

There were no further comments written or spoken. The hearing was closed.

- (c) Action on **Appropriation Enactment No. 2008-33**: An Enactment Appropriating Additional Moneys in Excess of the 2008 Budget in the Building & Inspection Department, the Fire Department, the Office of the Clerk-Treasurer, and the Sanitation Department, with a reduction in the Town Manager Department all of the **Corporation General Fund**.

Councilor Herak introduced and moved the consideration of Enactment No. 2008-33 at the same meeting of introduction. Councilor Vassar seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The Enactment could be considered.

Councilor Herak moved the passage and adoption of Enactment No. 2008-33 at the same meeting of introduction. Councilor Novak seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The Enactment was adopted.

**TOWN OF HIGHLAND
APPROPRIATION ENACTMENT
Enactment No. 2008-33**

AN ENACTMENT APPROPRIATING ADDITIONAL MONEYS IN EXCESS OF THE ANNUAL BUDGET FOR THE BUILDING & INSPECTION DEPARTMENT, THE FIRE DEPARTMENT, THE OFFICE OF THE CLERK-TREASURER, THE SANITATION DEPARTMENT, SUPPORTED BY THE REDUCTION TO THE TOWN MANAGER DEPARTMENT ALL OF THE CORPORATION GENERAL FUND PURSUANT TO I.C. 6-1.1-18, I.C. 36-5-3-5, ET SEQ.

WHEREAS, Following a public hearing advertised pursuant to I.C. 5-3-1, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for **the Motor Vehicle Highway Fund**;

WHEREAS, It has been determined that such additional appropriations as may be approved by this enactment, will not increase the levy set under I.C. 6-1.1-17, all pursuant to I.C. 36-5-3-5;

NOW, THEREFORE BE IT ENACTED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the funds herein named and for the purposes herein specified, subject to the laws governing the same:

CORPORATION GENERAL FUND:

Building and Inspection Department

Increase the following:

Acct 111.10 Code Enforcement Officer	\$ 7,725.00
Acct. 111.14 Electrical Inspector	\$ 560.00
Acct. 112.01 FICA/Medicare	\$ 864.00
Total Department Increases:	\$ 9,149.00

Fire Department

Increase the following:

Acct. 111.04 Fire Chief / Fire Inspector	\$ 1,661.08
Acct. 112.01 FICA / Medicare	\$ 127.07
Acct. 112.09 PERF Pension	<u>\$ 170.26</u>
Total Department Increases:	\$ 1,958.41

Office of Clerk-Treasurer

Increase the following:

Acct. 111.05 Staff (clerical) Salaries	\$ 5,000.63
Acct. 111.03 Clerk-Treasurer Salary	\$ 1,853.10
Acct. 111.04 Deputy Clerk-Treasurer Salary	\$ 1,938.23
Acct. 111.04 Deputy Clerk-Treasurer retirement	\$ 4,467.17
Acct. 112.01 FICA / Medicare	\$ 975.75
Acct. 112.09 PERF Pension	<u>\$ 1,307.97</u>
Total Department Increases:	\$ 15,542.85

Sanitation & Streets Department

Increase the following:

Acct. 111.05 Clerical Wages	\$ 325.00
Acct. 111.27 General Supervisor	\$ 372.00
Acct. 111.31 Laborers' Wages	\$ 4,060.00
Acct. 111.32 Public Works Director	\$ 305.00
Acct. 111.34 Secretary's Wages	\$ 355.00
Acct. 111.35 Street Supervisor Salary	\$ 258.00
Acct. 111.36 Fleet Supervisor Salary	\$ 373.00
Acct. 111.37 Billing and Collection Clerks	\$ 5,426.61
Acct. 112.01 FICA / Medicare	\$ 878.14
Acct. 112.09 PERF Pension	\$ 1,010.23
Acct. 112.10 PERF Annuity	<u>\$ 182.00</u>
Total Department Increases:	\$ 13,544.98

Town Manager Department

Decrease the following:

Acct. (all) 100 Series	\$ 32,285.24
Acct. (all) 200 Series	\$ 400.00
Acct. (all) 300 Series	<u>\$ 7,510.00</u>
Total Department Decreases:	\$ 40,195.24

Total of all Departmental Increases: \$ 40,195.24

Total of all Departmental Decreases: \$ 40,195.24

Total Net Increases for the Fund: \$ 0.00

Section 2. That the Clerk-Treasurer is hereby authorized and instructed to inform the Indiana Department of Local Government Finance of this action and that these moneys be made available for expenditure subject to an order of the Commissioner, pursuant to IC 6-1.1-18.

Section 3. That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq.*

Introduced and Filed on the 11th Day of August 2008. Consideration on the same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 11th Day of August 2008, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

ATTEST:

**Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)**

2. **Public Hearing:** Proposed Additional Appropriations in Excess of the 2008 Budgets in the **Motor Vehicle Highway (MVH)** and the **Redevelopment General Funds**.

(a) Attorney verification of Proofs of Publication: The Town Attorney indicated that the proofs of publication were in compliance with IC 5-3-1. (Appeared in The TIMES 25 July 2008.)

(b) Public Hearing. The Town Council President called the hearing to order.

1. Dean Stammis, 9324 Spring Creek Drive, Highland, asked for clarification regarding the revenue sources for the proposed additional appropriations.

There were no further comments written or spoken. The hearing was closed.

(c) Action on **Appropriation Enactment No. 2008-34:** An Enactment Appropriating Additional Moneys in Excess of the 2008 Budget in the Motor Vehicle Highway (MVH) and the Redevelopment General Funds.

Councilor Herak introduced and moved the consideration of Enactment No. 2008-34 at the same meeting of introduction. Councilor Kuiper seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The Enactment could be considered.

Councilor Herak moved the passage and adoption of Enactment No. 2008-34 at the same meeting of introduction. Councilor Novak seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The Enactment was adopted.

**TOWN OF HIGHLAND
APPROPRIATION ENACTMENT
Enactment No. 2008-34**

AN ENACTMENT APPROPRIATING ADDITIONAL MONEYS IN EXCESS OF THE ANNUAL BUDGET FOR THE MOTOR VEHICLE HIGHWAY (MVH) FUND AND THE REDEVELOPMENT GENERAL FUND PURSUANT TO I.C. 6-1.1-18, I.C. 36-5-3-5, ET SEQ.

WHEREAS, Following a public hearing advertised pursuant to I.C. 5-3-1, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for **the Motor Vehicle Highway (MVH) Fund** and the **Redevelopment General Fund**;

WHEREAS, It has been determined that such additional appropriations as may be approved by this enactment, will not increase the levy set under I.C. 6-1.1-17, all pursuant to I.C. 36-5-3-5;

NOW, THEREFORE BE IT ENACTED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the funds herein named and for the purposes herein specified, subject to the laws governing the same:

MOTOR VEHICLE HIGHWAY FUND:

Increase the following:

Acct. 111.05 Clerical Wages	\$ 325.00
Acct. 111.27 General Supervisor	\$ 372.00
Acct. 111.31 Laborers' Wages	\$ 8,400.00
Acct. 111.32 Public Works Director	\$ 305.00
Acct. 111.34 Secretary's Wages	\$ 355.00
Acct. 111.35 Street Supervisor Salary	\$ 1,070.00
Acct. 111.36 Fleet Supervisor Salary	\$ 607.00
Acct. 112.01 FICA/Medicare	\$ 875.00
Acct. 112.09 PERF Pension	\$ 858.00
Acct. 112.10 PERF Annuity	\$ 343.00
<i>Total 100 Series:</i>	<i>\$ 13,510.00</i>

Increase the following:

Acct. No. 230.05 Road Salt:	\$ 20,000.00
Total 200 Series:	\$ 20,000.00
Total for Fund:	<u>\$ 33,510.00</u>

REDEVELOPMENT GENERAL FUND

Acct. No. 111.07 Redevelopment Director Salary:	\$ 2,041.18
Acct. No. 112.01 FICA / Medicare:	\$ 156.15
Acct. No. 112.09 PERF:	<u>\$ 209.22</u>
Total 100 Series:	\$ 2,406.55
Total for Fund:	<u>\$ 2,406.55</u>

Section 2. That the Clerk-Treasurer is hereby authorized and instructed to inform the Indiana Department of Local Government Finance of this action and that these moneys be made available for expenditure subject to an order of the Commissioner, pursuant to IC 6-1.1-18.

Section 3. That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq.*

Introduced and Filed on the 11th Day of August 2008. Consideration on the same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this ____ Day of August 2008, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

ATTEST:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

3. **Public Hearing:** Proposed Additional Appropriations in Excess of the 2008 Budgets in the Local Major Moves, the Information and Communications Technology, and the Parks/VIPS Public Safety Funds.
 - (a) Attorney verification of Proofs of Publication: The Town Attorney indicated that the proofs of publication were in compliance with IC 5-3-1. (Appeared in The TIMES 25 July 2008. 24 July 2008 for PARKS/VIPS.)
 - (b) Public Hearing. There were no comments written or spoken. The hearing was closed.
 - (c) Action on **Appropriation Enactment No. 2008-35:** An Enactment Appropriating Additional Moneys in Excess of the 2008 Budget in the Local Major Moves Fund, the Information and Communications Technology Fund, and the Parks/VIPS Public Safety Fund.

Councilor Novak introduced and moved the consideration of Enactment No. 2008-35 at the same meeting of introduction. Councilor Vassar seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The Enactment could be considered.

Councilor Novak moved the passage and adoption of Enactment No. 2008-35 at the same meeting of introduction. Councilor Kuiper seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The Enactment was adopted.

TOWN OF HIGHLAND
APPROPRIATION ENACTMENT
Enactment No. 2008-35

AN ENACTMENT APPROPRIATING ADDITIONAL MONEYS IN EXCESS OF THE ANNUAL BUDGET FOR THE LOCAL MAJOR MOVES, INFORMATION AND COMMUNICATIONS TECHNOLOGY AND PARKS/VIPS PUBLIC SAFETY FUNDS, PURSUANT TO I.C. 6-1.1-18, I.C. 36-5-3-5, ET SEQ.

WHEREAS, Following a public hearing advertised pursuant to I.C. 5-3-1, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for the **Local Major Moves, Information and Communications Technology and Parks/VIPS Public Safety Funds**;

WHEREAS, It has been determined that such additional appropriations as may be approved by this enactment, will not increase the levies set under I.C. 6-1.1-17, all pursuant to I.C. 36-5-3-5;

NOW, THEREFORE BE IT ENACTED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the funds herein named and for the purposes herein specified, subject to the laws governing the same:

LOCAL MAJOR MOVES FUND:

Increase Account # 390.09: Construction/Reconstruction of Streets	\$ 175,000.00
Total 300 Series Increases:	\$ 175,000.00
Total Additional for the Fund:	<u>\$ 175,000.00</u>

INFORMATION AND COMMUNICATIONS TECHNOLOGY FUND:

Increase Account # 111.16: Part-Time IT Coordinator	\$ 1,963.00
Increase Account # 112.01: FICA/Medicare:	\$ 151.00
Total 100 Series Increases:	\$ 2,114.00
Total Additional for the Fund:	<u>\$ 2,114.00</u>

PARKS/VIPS PUBLIC SAFETY FUND:

Increase Account # 210.01: Gasoline:	\$ 3,000.00
Increase Account # 220.01: Radio Parts & Supplies:	\$ 2,000.00
Increase Account # 220.04: Equipment:	\$ 1,000.00
Total 200 Series Increases:	\$ 6,000.00
Total Additional for the Fund:	<u>\$ 6,000.00</u>

Section 2. That the Clerk-Treasurer is hereby authorized and instructed to inform the Department of Local Government Finance of this action and that these monies be made available for expenditure pursuant to I.C. 6-1.1-18.

Section 3. That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq.*

Introduced and Filed on the 11th Day of August 2008. Consideration on the same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 11th Day of August 2008, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

Bernie Zemen, President (IC 36-5-2-10)

ATTEST:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

Comments from the Public for Matters on the Agenda

1. Joe Wszolek, 3731 42nd Place, Highland inquired seeking to know the amount of unappropriated equity that may be in the MCCD Fund.

Mr. Wszolek further, noted that there were in the agenda packets issued in advance of the current meeting, signatures on the INDoT Agreement. He inquired whether or not the agreement was already adopted and whether or not there was a meeting for this purpose.

Mr. Wszolek still further inquired about the potential impact from the pending \$1.9 million Corporation Bond Issue, upon the collections to the operating levies, as recently authorized by ordinance by the Town Council.

There were no further comments from the public.

The Town Council determined to remove item of appointment to the Town Board of Metropolitan Police Commissioners from the agenda by unanimous consent. So there was no action on this matter.

Appointments

- **Statutory Boards and Commissions**

Executive Appointments made by Town Council President

Legislative or Fiscal Body Appointments made by Town Council

1. Legislative Appointments to **Town Board of Metropolitan Police Commissioners. (1)**
(Unexpired term of **John Koval**, which expires on **January 1, 2010.**)

Staff Reports: The Council received the following reports as information for the record:

- **Building & Inspection Report for July 2008**

Permit Type	No.	Residential	Commercial	Est. Cost	Fees
Single Family	0	0	0	\$0.00	\$0.00
Duplex/Condo	1	1	0	\$140,000.00	\$1,610.00
Commercial	0	0	0	\$0.00	\$0.00
Residential	135	135	0	\$1,873,385.00	\$14,313.00
Addit/Remodel					
Commercial	3	0	3	\$58,375.00	\$1,121.00
Addit/Remodel					
Schools/Church remodel/addtn.	0	0		\$0.00	\$0.00
Sheds	0	0	0	\$0.00	\$0.00
Fences	24	22	2	\$63,999.00	\$2,084.00
Garage	0	0	0	\$0.00	\$0.00
Swimming Pools	3	3	0	\$0.00	\$60.00
Misc. Permits	6	6	0	\$29,789.00	\$656.00
Misc. other	1	1	0		\$66.00
Signs	3	0	3	\$28,910.00	\$963.00
Fire Repair	0	0	0	\$0	\$0
Total:	176	168	8	\$2,194,458.00	\$20,873.00
Electrical Permits	12	11	1		\$1,052.00
Mechanical Permits	6	6	0	0	\$488.00
Plumbing Permits	9	8	1		\$1,101.00
Water Meters	2	2	0		\$200.00
Water Taps	8	8	0		\$1,600.00
Sewer Taps	9	9	0		\$2,700.00
Total:	28	27	1		\$5,601.30

July Code Enforcement: 190 warnings issued and 11 citations were issued.

There were 29 final building inspections, 4 plumbing inspections, and 24 electrical inspections. There were 2 electrical exams given.

• **Fire Department Report for July 2008**

	Month	Y.T.D.	Previous Y.T.D.	Task Hours
General Alarms	15	91	79	
Car Fires	1	8	6	
Still Alarms	22	69	73	
Ambulance calls	0	1	1	

• **Workplace Safety Report for July 2008**

There were no incidents reported in July. The following incident summary was filed:

Department	Injuries this Month	Year to Date 2008	Total in 2007	Restricted Days 2008	Lost Workdays This Year	Restricted Days Last Year (2007)	Lost Workdays Last Year (2007)
Parks	0	3	6	0	0	0	0
Fire	0	1	1	0	0	0	0
Police	0	3	10	0	0	55	70
Street	0	3	2	0	0	0	0
Water & Sewer	0	4	3	0	0	0	0
Maint.	0	0	0	0	0	0	0
Other	0	0	3	0	0	0	0
TOTALS	0	14	25	0	0	55	70

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

Unfinished Business and General Orders:

1. **Resolution No. 2008-32:** A Resolution Approving an Interlocal Cooperation Agreement between the Incorporated Town of Highland and the School Town of Highland for the Utilization of School Resource Officer Program Services.

Councilor Kuiper moved the passage and adoption of Resolution No. 2008-32. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN OF HIGHLAND
TOWN COUNCIL RESOLUTION No. 2008-32**

A Resolution Approving an Interlocal Cooperation Agreement between the Incorporated Town of Highland and the School Town of Highland for the Utilization of School Resource Officer Program Services

WHEREAS, Indiana Code 36-1-7-1, et seq., allows local government entities to make the most efficient use of the powers by enabling them to mutually utilize services for the mutual benefit of each other; and

WHEREAS, The Incorporated Town of Highland and the School Town of Highland, Lake County, Indiana are municipal corporations empowered by the aforesaid Interlocal Cooperation Act, as amended, with authority to contract with each other on a basis of mutual advantage so as to better provide public services and facilities at a shared cost; and

WHEREAS, The Incorporated Town of Highland and the School Town of Highland desire to enter into a joint agreement pursuant to IC 36-1-7-1, et seq., to provide for the ability and flexibility to obtain for the Highland Students certain gang resistance training, a heightened law enforcement presence in the local public schools as well as other related services for the mutual benefit of the participating entities, and at a shared cost;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Highland, Lake County as follows:

Section 1. A joint agreement, a copy of which is attached and incorporated herein by reference, among and between the Incorporated Town of Highland and the School Town of Highland entered into by the Town of Highland by and through its Town Council, and is hereby authorized and approved in each and every respect.

Section 2. The purpose of this agreement is to authorize and allow the Town Council of the Town of Highland and the School Board of Trustees to act as a joint board of the two participating entities to mutually support and utilize certain specified services associated with the School Resource Officer Program for the mutual benefit of the participating entities at shared costs.

Section 3. The Clerk-Treasurer of the Town of Highland is hereby authorized to execute the duties related to the payment, collection and accounting for all moneys of this joint undertaking, pursuant to the terms of this agreement, in a manner that is mutually acceptable with the duly constituted and acting fiscal officer of the School Town of Highland.

Section 4. The governing boards of the participating entities may be convened as a joint board, or may act as a joint board at separate meetings of the respective governing bodies of the participating entities in which the entities concur.

Section 5. The governing boards of the participating entities may create a committee comprised of representatives from both participating entities or may designate a single individual from each of the participating entities, which may perform such administrative ministerial duties as the joint board may direct and the agreement may provide.

Section 6. The President of the Highland Town Council and the Clerk-Treasurer are hereby authorized to execute the joint Interlocal Governmental Agreement with their signatures and any additional documents in order to implement the agreement.

Section 7. This agreement shall be effective as indicated in and pursuant to its provisions, after the agreement has been authorized and approved by each of the participating entities, evidenced by passage and adoption of a similar Resolution all pursuant to I.C. 36-1-7-2.

Section 8. That upon its approval, this agreement repeals the agreements governing the school resource officer program, the first adopted January 17, 1997 and its succeeding agreements.

Section 9. That before this agreement takes effect, it must be recorded with the Office of the Lake County Recorder. No later than sixty (60) days after it takes effect and is recorded, the agreement must be filed with the Office of the State Board of Accounts for audit purposes, all pursuant to I.C. 36-1-7-6.

Duly Adopted by the Town Council of the Town of Highland, Lake County, Indiana, this 11th day of August 2008. Having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W.Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

INTERGOVERNMENTAL AGREEMENT

This Interlocal Governmental Agreement made and entered into in accordance with I.C. 36-1-7 by and between the TOWN OF HIGHLAND (hereinafter called "Town") and the SCHOOL TOWN OF HIGHLAND (hereinafter called "School Town"), both municipal corporations organized and operating under the laws of the State of Indiana.

WITNESSETH THAT:

WHEREAS, the Town desires to provide a Town of Highland Police Officer to the School Town to serve in the capacity as School Resource Officer to instruct both the G.R.E.A.T. curriculum and the Officer Friendly program, and to perform other related duties.

THEREFORE, IT IS AGREED AS FOLLOWS:

1. The Town agrees to provide to the School Town the service of one (1) Highland police officer to serve as a School Resource Officer. The purpose of the School Resource Officer will be to minimize the potential for hate crimes/bullying, alcohol and drug-related use, gang-related activities, and disruption and/or criminal behavior in and around schools, such as theft, vandalism, truancy, etc. in the most effective and efficient manner possible. Said officer,

who shall remain an employee of the Town, shall provide services as presented in a School Resource Officer Job Description, a copy of which is on file with the Town and the School Town. Said job description may be amended from time to time by a written amendment to this Agreement signed by representatives of both parties.

2. In consideration of the same, the School Town agrees to pay for said services in accordance with the terms of this Agreement the amount of **\$60,785.27 for a period of 180 days** during the 2008/2009 school year. The basis for said compensation to the Town is presented as an exhibit to this agreement incorporated herein by reference. The School Town's compensation shall be paid in two (2) equal installments, as follows:

- (A) the first being due on or before December 31, 2008;
- (B) the second payment being due on or before June 30, 2009.

3. The Clerk-Treasurer of the Town shall be authorized to execute the duties of receiving payments from the School Town as described in paragraph two (2) and of disbursing and accounting for all such monies in a manner consistent with the terms of this Agreement.

4. The School Resource Officer will be assigned on a full-time basis to the School Town the equivalent of up to one hundred eighty (180) days during the school year. The School Town will only be financially responsible for the equivalent number of days actually worked by the School Resource Officer.

5. The School Resource Officer will wear clothing that will easily identify him or her as a police officer.

6. The School Resource Officer will not take personal time off when school is in session. If sick, he must notify the receptionist at the School Town Administration Center. A substitute may be assigned subject to mutual approval of the Police Chief and the School Superintendent.

7. Lunch must be eaten in a School Town cafeteria unless prior arrangements have been made with the Superintendent/designee.

8. The Town will assume all costs and responsibility of initial and ongoing training associated with the School Resource Officer position. Any vehicle or additional equipment or expenses necessary for the program shall be paid for by the Town.

9. The Town shall be responsible for selecting the police officer to serve as the School Resource Officer, subject to the consent and approval of the School Town. The School Town has final authority on the content of all instructional materials used by the School Resource Officer.

10. The administration of the terms of this Agreement shall supersede any previous Agreement and shall be accomplished through the Superintendent of the School Town or designee and the Chief of Police or designee.

11. Any other provision of this Agreement to the contrary notwithstanding this Agreement may be changed or modified only with the written consent of both parties.

12. All notices or communications provided herein shall be in writing and delivered either in person or via certified or registered United States mail, return receipt requested, and with the proper postage prepaid, addressed to the party for whom such notice or communication is intended.

13. Should any part, term, or provision of this Agreement be determined by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining portion or provisions shall not be affected thereby.

14. No failure or delay in performance of the executed service Agreement by either party shall be deemed to be a breach when such failure or delay is occasioned by or due to any Act of God, strike, lockout, war, riot, epidemic, explosion, sabotage, the binding order of any court or governmental authority, or any other cause, whether of the kind enumerated above or otherwise, not within the control of the party claiming suspension, actually provided that no cause or contingency shall relieve the School Town of its obligation. to make payment for the services of the School Resource Officer programs actually provided by the Town.

IN WITNESS WHEREOF, the chief executive officers of the parties hereto, acting under the authority of their respective governing bodies, have caused this contract to be executed in three (3) counterparts, each of which shall constitute an original on the dates indicated below their names.

TOWN OF HIGHLAND

By: _____
Bernie Zemen, President

SCHOOL TOWN OF HIGHLAND

By: _____
Lawrence Vassar, President

Attest:

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer

Mrs. Carol Green-Fraley, Secretary

2. **Works Board Order No. 2008-16:** An Order of the Works Board Approving and Authorizing the Fire Chief to Enter into a Purchase Agreement 1 Chevrolet Suburban Vehicle, pursuant to IC 5-22 and §31.18(C) and § 31.19 (B) (1) (b) of the Municipal Code.

Councilor Vassar moved the passage and adoption of Works Board No. 2008-16. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**Town of Highland
Board of Works
Order of the Works Board 2008-16**

AN ORDER RATIFYING, APPROVING AND AUTHORIZING THE FIRE CHIEF TO ENTER INTO A PURCHASE AGREEMENT WITH CHRISTENSON CHEVROLET FOR A 2008 CHEVROLET SUBURBAN UTILITY VEHICLE, PURSUANT TO IC 5-22, §31.18(C) AND § 31.19(B)(1)(B) OF THE MUNICIPAL CODE.

WHEREAS, THE TOWN OF HIGHLAND FIRE DEPARTMENT, AS PART OF ITS PUBLIC DUTIES, HAS RESPONSIBILITY FOR FIRE SUPPRESSION, PUBLIC SAFETY AND PROTECTION OF LIFE AND PROPERTY THROUGHOUT THE TOWN OF HIGHLAND AND, FROM TIME TO TIME, IT IS NECESSARY TO PURCHASE AND OR LEASE MATERIALS AND SUPPLIES IN ORDER TO CARRYOUT THE FUNCTIONS OF THE DEPARTMENT; AND

WHEREAS, THE FIRE CHIEF, PURSUANT TO §31.19(D)(4) OF THE HIGHLAND MUNICIPAL CODE, SERVES AS THE PURCHASING AGENT FOR THE FIRE DEPARTMENT; AND

Whereas, The Purchasing Agent, pursuant to §31.20(F) of the Highland Municipal Code, expected that the purchase would be more than \$25,000 but not more than \$75,000 and invited quotes in accordance with §31.20(F) of the HMC; and

WHEREAS, THE FOLLOWING QUOTES HAVE BEEN RECEIVED:

	UNIT PRICE	TRADE-IN NET PRICE:	
CARROLL CHEVROLET:	\$ 35,525	\$ 0.00	\$35,525
SCHEPEL BUICK	\$ 38,000	\$ 0.00	\$38,000
CHRISTENSON CHEVROLET:	\$ 35,334	\$ 0.00	\$35,334

Whereas, The Town Council as the Works Board of the Municipality, pursuant to §31.17(A)(5) of the Highland Municipal Code serves as purchasing agency for the Fire Department;

Whereas, The purchase price exceeds \$10,000.00 and, pursuant to §31.18(C) and § 31.19(B)(1)(b) of the Highland Municipal Code, the purchasing agent requires the express approval of the purchasing agency to execute the purchase;

Whereas, The purchase will be supported by the Municipal Cumulative Capital Development Fund and there is sufficient appropriation in order to support the purchase; and

Whereas, The Town Council now desires to approve and authorize the Fire Chief to complete the purchase pursuant to the terms stated herein,

Now Therefore Be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality:

Section 1. That the Works Board hereby finds and determines that the quote of *Christenson Chevrolet* in the amount of Thirty-five thousand, three hundred thirty-four dollars and no cents (\$35,334.00) is the lowest, most responsible, and responsive quote offering the lowest purchase cost, all pursuant to §31.20 of the Highland Municipal Code;

Section 2. That the Fire Chief is hereby directed and authorized to purchase One (1) Chevrolet 2008 Suburban Utility Vehicle for the purchase price of \$35,334 from Christenson Chevrolet;

Section 3. That the Fire Chief is hereby authorized to issue a purchase order to Christenson Chevrolet and to execute all documents necessary to implement the purchase thereof;

Section 4. That the Municipal Fiscal Officer is hereby authorized to expend moneys from the proper account of the Municipal Cumulative Capital Development Fund in order to support and implement the purchase.

Section 5. That any actions by the Fire Chief in furtherance of this purchase as authorized by the Town Council at its meeting of July 28, 2008, is hereby ratified and approved, pursuant to IC 36-1-4-16.

Be it so Ordered.

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 11th day of August 2008 having passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

3. **Works Board Order No. 2008-17:** An Order of the Works Board Ratifying, Accepting and Approving a Local Public Agency (LPA) Project Coordination Contract Between the State of Indiana, through its Department of Transportation and the Town of Highland through its Town Council for Kennedy Avenue Reconstruction Project.

Councilor Vassar moved the passage and adoption of Works Board No. 2008-17. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

Town of Highland
Board of Works
Order of the Works Board 2008-17

An Order of the Works Board Accepting and Approving a Local Public Agency (LPA) Project Coordination Contract Between the State of Indiana, through its Department of Transportation and the Town of Highland through its Town Council for Kennedy Avenue Reconstruction Project

Whereas, The Town of Highland, Department of Public Works, as part of its public duties, has responsibility for the management and maintenance of the several public ways, highways, local roads and streets throughout the Town of Highland not otherwise under another Department; and; and

Whereas, The Director of Public Works has determined a need to make infrastructure improvements and reconstruct portions of Kennedy Avenue in order to enhance traffic mobility and public safety and to further carry out this responsibility; and

Whereas, The proper officer of the Department of Transportation for the State of Indiana has prepared and presented an agreement that would support and provide for **infrastructure improvements and reconstruction of the portion of Kennedy Avenue from the Hammond City Limits to Ridge Road as a joint Federal Highway Aid (FHWA) Project**;

Whereas, The Public Works Director now wishes to recommend to the Town Council the favorable review and adoption of the proposed agreement in support of the foregoing;

Whereas, The Town Council now desires to approve, accept and adopt the proposed agreement presented by the Indiana Department of Transportation (INDOT), which provides for infrastructure improvements and reconstruction of the portion of Kennedy Avenue from the Hammond City Limits to Ridge Road, carried out as a joint Federal Highway Aid (FHWA) Project,

Now Therefore Be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, as follows:

Section 1 That the proposed agreement, a **Local Public Agency (LPA) Project Coordination Contract**, presented by the Indiana Department of Transportation (INDOT) which provides for infrastructure improvements and reconstruction of the portion of Kennedy Avenue from the Hammond City Limits to Ridge Road, carried out as a joint Federal Highway Aid (FHWA) Project, styled as **EDS # A-249-09-320021, Des. No. 0088400** and further styled as a **STP Group I** Project Type, is hereby accepted, approved and adopted in every respect;

Section 2. That the Town Council President, and members of the Town Council are hereby authorized to evidence this approval and execute the agreement by their signatures as attested to by the Clerk-Treasurer;

Section 3. That the proper officers of the municipality are hereby authorized to identify and secure such funds of the municipality that may be lawfully expended in order to support the Town of Highland's funding share and implement the provisions and objects of the agreement.

Section 4. That actions of the proper officers of the municipality taken in advance of the passage and adoption of this order related to the approval of the Local Public Agency (LPA) Project Coordination Contract Between the State of Indiana, through its Department of Transportation and the Town of Highland through its Town Council for Kennedy Avenue Reconstruction Project according to the timetable prescribed by INDOT, is hereby ratified and approved, all pursuant to IC 36-1-4-16.

Be it so Ordered.

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 11th day of August 2008 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

4. Action on Approving Accident, Death and Disability Group Insurance for the firefighters of the Highland Fire Department, as required pursuant to IC 36-8-12 et seq., with McNeil & Company, as underwriter, for an annual premium of \$5,098.

Councilor Kuiper moved to approve and renew the Accident, Death and Disability Group Insurance for the firefighters of the Highland Fire Department, as required pursuant to IC 36-8-12 et seq., with McNeil & Company, as underwriter, for an annual premium of \$5,098. Councilor Novak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The policy was renewed as indicated.

5. **Works Board Order No. 2008-18:** An Order of the Works Board AUTHORIZING and APPROVING A MUTUAL RELEASE OF A PURCHASE AGREEMENT FOR SOFTWARE ACCOUNTING SYSTEMS AND NEW UTILITY BILLING EQUIPMENT WITH COMPUTRAIN ENTERPRISES, INC.

Councilor Novak moved the passage and adoption of Works Board No. 2008-18. Councilor Herak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

SANITARY DISTRICT OF HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2008-36

HIGHLAND WATERWORKS BOARD OF DIRECTORS
Resolution No. 2008-15

HIGHLAND TOWN COUNCIL
Works Board Order No. 2008-18

A JOINT ENACTING INSTRUMENT AUTHORIZING and APPROVING A MUTUAL RELEASE OF A PURCHASE AGREEMENT FOR SOFTWARE ACCOUNTING SYSTEMS AND NEW UTILITY BILLING EQUIPMENT WITH COMPUTRAIN ENTERPRISES, INC.

WHEREAS, Highland and CompuTrain entered into a certain Purchase Agreement for Software and Equipment, dated September 7, 2007 (the "Purchase Agreement"), with regard to utility billing software, equipment, training, data conversion and annual support;

WHEREAS, After good faith efforts on the part of all parties to fully execute and carry-out the objects and purposes of the Purchase Agreement herein described, it has been determined that for reasons now fully realized, understood and accepted by all parties to the agreement, that it is now desirable and reasonable to curtail further efforts to fully execute and carry-out the objects and purposes of the Purchase Agreement at this time;

WHEREAS, It is prudent and in the best interest of the Highland Sanitary Board of Commissioners, the Highland Water Works Board of Directors, the Highland Works Board and the public at large to support and share the reasonable

development costs incurred by CompuTrain in consequence of its efforts to execute and carry-out the objects and purposes of the Purchase Agreement;

WHEREAS, The Board of Sanitary Commissioners, pursuant to §31.17(E) of the HMC serves as purchasing agency for the Public Sanitation Department;

WHEREAS, The Board of Waterworks Directors, pursuant to §31.17(E) of the HMC serves as purchasing agency for the Highland Waterworks;

WHEREAS, The Town Council as the Works Board of the Municipality, pursuant to §31.17(A)(1) of the HMC serves as purchasing agency for the Public Works Department; and

WHEREAS, The Board of Sanitary Commissioners, the Highland Waterworks Board of Directors, and the Town Council, acting as the Works Board for the Town of Highland (HIGHLAND) and CompuTrain now desire to terminate the Purchase Agreement and enter into a mutual release agreement on behalf of both parties,

NOW, THEREFORE, BE IT HEREBY,

RESOLVED by the Board of Sanitary Commissioners of the Town of Highland, Lake County, Indiana; and

RESOLVED by the Board of Waterworks Directors of the Town of Highland, Lake County, Indiana; and

ORDERED by the Town Council, acting as the Works Board of the Town of Highland, Lake County, Indiana:

Section 1. That the MUTUAL RELEASE of A PURCHASE AGREEMENT FOR SOFTWARE ACCOUNTING SYSTEMS AND NEW UTILITY BILLING EQUIPMENT, made between the Town of Highland, by and through its Works Board, Board of Sanitary Commissioners and Board of Waterworks Directors, and CompuTrain Enterprises, Inc., a copy of which is attached and incorporated herein by reference, is hereby accepted and approved in all respects;

Section 2. That the proper officers of the participating governing boards are hereby authorized to execute the mutual release of purchase agreement with CompuTrain Enterprises, Inc, by affixing their signatures thereto, evidencing its acceptance and approval;

Section 3. That the \$5,156.25 invoice for services from CompuTrain shall be apportioned in the amount of \$1,718.75 posted to the proper fund of the Sanitary District, the amount of \$1,718.75 posted to the proper fund of the Water Works Utility and the amount of \$1,718.75 posted to the Sanitation Department of the General Fund.

Participant Counterpart

Be it So Ordered.

DULY PASSED and ADOPTED by the Town Council of Highland, acting as the Works Board of the Municipality, by a vote of 5 in favor and 0 opposed, on the 11th day of August 2008.

TOWN of HIGHLAND, INDIANA
3333 Ridge Road, Highland, Indiana 46322

Through its Town Council acting as the Works Board

By: _____
Bernie Zemen, Town Council President

Attest:

Michael W. Griffin, Clerk-Treasurer
Town of Highland, Indiana

Participant Counterpart

DULY PASSED and ADOPTED by the Board of Sanitary Commissioners by a vote of _____ in favor and _____ opposed, on the _____ day of _____, 2008.

DEPARTMENT of PUBLIC SANITATION of HIGHLAND, INDIANA
3333 Ridge Road, Highland, Indiana 46322-2089

Through its Board of Sanitary Commissioners

By: _____
David Jones, President

Attest:

Jeanne Moseley, Secretary

Participant Counterpart

DULY PASSED and ADOPTED by the Board of Waterworks Directors by a vote of ____ in favor and ____ opposed, on the ____ day of _____, 2008.

DEPARTMENT of WATERWORKS of HIGHLAND, INDIANA
3333 Ridge Road, Highland, Indiana 46322-2089

Through its Board of Waterworks Directors

By:

Keith Bruxvoort, President

Attest:

Gerald McMahon, Secretary

**MUTUAL RELEASE OF PURCHASE AGREEMENT
FOR SOFTWARE AND EQUIPMENT**

THIS AGREEMENT made and entered into this ____ day of _____, 2008, by and between **TOWN OF HIGHLAND, LAKE COUNTY, INDIANA, by and through its Town Council, THE SANITARY DISTRICT OF THE TOWN OF HIGHLAND, by and through its Board of Commissioners, and THE WATER WORKS DISTRICT OF HIGHLAND, by and through its Board of Directors** (hereinafter referred to as "Highland") and **COMPUTRAIN ENTERPRISES, INC.** (hereinafter referred to as "CompuTrain").

WITNESSETH:

WHEREAS, Highland and CompuTrain entered into a certain Purchase Agreement for Software and Equipment, dated September 7, 2007 (the "Purchase Agreement"), with regard to utility billing software, equipment, training, data conversion and annual support; and

WHEREAS, Highland and CompuTrain desire to terminate the Purchase Agreement and enter into a mutual release agreement on behalf of both parties.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, it is mutually agreed by and between the parties as follows:

1. Highland agrees to pay to CompuTrain the sum of Five Thousand One Hundred Fifty-six Dollars and Twenty-five Cents (\$5,156.25) as reflected in Invoice no. 20126, in full and complete settlement of this matter.
2. That the Purchase Agreement be and the same is hereby cancelled, rescinded and terminated effective with the execution of this Agreement by both parties.
3. That in consideration of the mutual relinquishment of the respective legal rights with references to the disputes over the Purchase Agreement, and in consideration of the execution of this Mutual Release and the above consideration, each of the parties hereby expressly release the other, their heirs, executors, administrators, successors or assigns, from all liability for claims and demands arising out of that certain Purchase Agreement.
4. That this Mutual Release Agreement shall be governed by the laws of the State of Indiana.

IN WITNESS WHEREOF, the parties have set their hands and seals to this Agreement as of the date set forth below.

**TOWN OF HIGHLAND, LAKE COUNTY,
INDIANA**

COMPUTRAIN ENTERPRISES, INC.

By: _____
**BERNIE ZEMEN, President,
Town Council**

By: _____
RON GRIFFIN, President

Date: _____, 2008

ATTEST:

MICHAEL W. GRIFFIN, Clerk-Treasurer

Date: _____, 2008

**SANITARY DISTRICT OF HIGHLAND,
BY ITS BOARD OF COMMISSIONERS**

By: _____
DAVID JONES, President

Date: _____, 2008

**WATER WORKS DISTRICT OF HIGHLAND,
BY ITS BOARD OF DIRECTORS**

By: _____
KEITH BRUXVOORT, President

Date: _____, 2008

This instrument prepared by: Rhett L. Tauber, Esq.
Tauber Westland & Bennett P.C.
1415 Eagle Ridge Drive
Schererville, Indiana 46375
(219) 865-8400

Committee Reports

Councilor Mark Herak: *Parks and Recreation Board Liaison Advisory Board of Zoning Appeals Liaison • Board of Sanitary Commissioners Liaison • Special Events Advisory Committee, Liaison.*

Councilor Herak commented favorably on instances of residents assisting neighbors in the clean up and repair efforts through out Town in consequence of the recent major windstorm of August 4 and 5, 2008.

Councilor Herak reported from the Parks and Recreation Department that the 18th Century Re-Enactment was to be conducted at Main Square, July 19 and 20.

Councilor Herak reported that the Sanitary District awarded the generator installation contract for the North Drive Pump Station.

Councilor Herak reported from Public Works regarding the recent bid results from the Intergovernmental Cooperation Agreement road salt buying effort. It was noted that there were fewer respondents this year. Morton Salt responded with a price of \$101.89 per ton. Last year it was noted that the price was \$36.18 per ton. It was noted that this represented a 280% increase. It was further noted that it was unclear about what steps to take as the cost was profoundly prohibitive in maintaining the same level of stored salt.

Councilor Dan Vassar: *• Building and Inspection Committee • Plan Commission member.*

Councilor Vassar presented a brief survey of matters soon to come before the Plan Commission, including that it would be considering the promulgated Downtown Redevelopment Area Design Standards. Councilor Vassar also through the report of the Building Commissioner cautioned residents who may have experienced damages in consequence of the August 4-5 storm to watch for unscrupulous contractors.

Councilor Brian Novak: • *Waterworks Board Liaison • Fire Personnel Committee Lake County Solid Waste Management District Board of Directors member • Insurance Committee, member.*

Reported that the Water Board transferred the newly constructed meter vault to the City of Hammond Waterworks Department, pursuant to the terms of the current customer agreement for potable water supply.

Councilor Novak commended the Fire Department for its efforts exhibited during the post storm response.

Councilor Konnie Kuiper: *Town Board of Metropolitan Police Commissioners Liaison • Traffic Safety Commission Member • Chamber of Commerce Liaison.*

Councilor Kuiper reported that the Police Department added five persons to assist in answering phone calls in consequence of the recent storm. He noted that Highland's VIPS group volunteered to patrol areas closed off owing to storm damage in the neighboring Town of Griffith, which had a confirmed F2 Tornado touch down during the August 4 storm, and experienced greater damage than Highland residents.

Councilor Bernie Zemen: *Town Executive • Police Pension Board of Trustees Chair • Budget Committee Chair • Redevelopment Commission Liaison • Plan Commission member • Insurance Committee, member.*

The Town Council President commended the department heads and workers for their responsiveness to the storm.

The Town Council President reported that the Redevelopment Commission had approved the proposed development and design standards for the Downtown Redevelopment Area and forwarded then to the Plan Commission for action.

Comments from the Public for Matters not on the Agenda.

1. Rick Volbrecht, 9221 Parkway Drive, Highland, referring to the action of the Town Council at its meeting of July 28, 2008 amending the agenda and appointing a special committee of Metropolitan Police Commissioners James Turoci, Dan Stombaugh and James DeGraaf to review a call for service involving Peggy Hurst and all parties, inquired why the Town Council did not discuss the matter further.

Mr. Volbrecht further inquired as to the name of the committee.

Mr. Volbrecht further inquired why the Town Council formed the committee and directed it to conduct the review instead of the matter being reviewed on the initiative of the Town Board of Metropolitan Police Commissioners.

Mr. Volbrecht further inquired as to what if any action has been taken since the committee was formed.

2. Jim Diehl, 10104 Kennedy Avenue, Highland, inquired about the status of a proposed extension of wastewater sewer line along Kennedy Avenue from 45th Avenue to the C&N Railroad crossing.
3. Vern Sieb, 3024 Lakeside Drive, Highland, inquired about the size of the generators that were being sized for the storm pump stations.

4. John Koval, 9626 Delaware, Highland, commented that he did not hear the warning siren emit noise during the recent storm event.

Mr. Koval further inquired about whom to contact to learn about the length of time that residents may need to endure the loss of power following such loss during an event like the town recently experienced . He noted the power provider, NIPSCO, only provided a recorded message and would not provide estimates of timetables for repair.

5. Cy Huerter, 8740 Carolina Avenue, Highland, inquired about the possible use of a “reverse call back system” to perhaps better alert residents of a coming storm event. Mr. Huerter further inquired about the status of disaster aid for the Town of Highland.
6. Jim Diehl, 10104 Kennedy Avenue, Highland, noting that a neighbor needed supplemental oxygen. When the power went out, his oxygen generator no longer produced and he needed to go to a tank. Mr. Diehl suggested that the Town perhaps purchase and store some of these for the use of residents in the event of future storms.
7. Joe Wszolek, 3731 42nd Place, Highland, indicated that he noted in news accounts regarding the Town’s initiative to remove the Water utility from the jurisdiction of the Indiana Utility Regulatory Commission, representatives of the Town of Highland reported that the Town of Schererville water utility was withdrawn. Mr. Wszolek stated that based upon a conversation he had with the Town Council President of the Town of Schererville , Hal Slager, the Town is in fact still under the jurisdiction of the IURC.

Payment of Accounts Payable Vouchers. There being no further business from the floor, Councilor Herak moved to allow the accounts payable vouchers as filed on the pending pay docket, covering the period July 29, 2008 through to August 11, 2008. Councilor Novak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers were allowed and the clerk-treasurer was authorized to make payment.

General Fund, \$342,396.24; Motor Vehicle Highway and Street (MVH) Fund, \$29,392.37; Local Road and Street Fund, \$9,756.37; Law Enforcement Continuing Education and Training Fund, \$21.61; FSA Agency Fund, \$2,279.89; Insurance Premium Fund, \$103,296.23; Gasoline Agency Fund, \$46,650.37; Information and Communications Technology Fund, \$3,316.65; Donation Fund, \$4,460.03; Special Events Non Reverting Fund, \$1,573.35; Police Pension Fund, \$58,209.37; Municipal Cumulative Capital Development Fund, \$4,788.00; General Improvement Fund, \$2.00; Municipal Cumulative Street Fund, \$9,939.00; Total: \$ 616,081.48.

Adjournment. Councilor Kuiper moved that the meeting be adjourned. Councilor Novak seconded. Upon a roll call vote, there were 5 affirmatives and 0 negatives. The motion passed. The regular meeting of the Town Council meeting of Monday, August 11, 2008 was adjourned at 8:31 O’clock p.m.

Study Session. The Twenty Sixth Town Council of the Town of Highland, Lake County, Indiana met in a study session following the regular meeting on Monday, August 11, 2008 at 8:50 O’clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Bernie Zemen, Mark A. Herak, Dan Vassar, Brian Novak and Konnie Kuiper were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: Alex M. Brown, CPRP, Parks and Recreation Superintendent.

Dennis Tobin, Larry Vassar, Carolyn Turich, Ed Dabrowski and Tom Arnold of the Park and Recreation Board were also present.

General Substance of Matters Discussed.

1. The Park and Recreation Board members, the Parks and Recreation Superintendent and the Town Council discussed the Park capital Plan associated with the retrofit and reconstruction of Lincoln Community Center. The discussion included the sufficiency of staffing and resources to support any added staff that may be required in consequence of the modifications including the addition of a Fitness Center.

The discussion included the revenue estimates presented by the Park and Recreation Board that would be generated from the sale of memberships to residents to support the fitness center, estimated at a gross of \$400,000, and an approximate \$200,000 net. The number was based upon a \$20 per month membership fee, imposed on an estimated 1,400 members. The discussion included an extended examination of the propriety of operating a fitness center, an activity that has direct private enterprise counterparts, and could be construed as competing with fitness clubs nearby, one of which actually is located in the Town of Highland.

It was further noted that as part of the reconstruction and retrofit, HVAC, electrical and windows would be changed to more energy efficient, lowering operating costs. It was noted that there the demolition of the wings originally constructed in 1947 and 1950 would figure in this cost savings.

The discussion noted that the reconstruction plan would mean the loss of one or more of the Daycare tenants, which represents leasehold revenues that support operations. It was suggested by the parks and recreation representatives that the Fitness Center net revenue would offset the reduction owing to this change. The discussion further noted that the Phase I retrofit and repair estimated cost of \$8 million.

The discussion included an appreciation that under the new hard tax caps related to properties imposed under the recently enacted HEA 1001, the debt service levies would affect collections to operating revenues. It was further noted that if the project reached \$12 million, the bond issue would be subject to taxpayer referendum before it could be authorized. Further, if so authorized, the levy would be exempted from the tax caps, this not negatively affecting the collections to operating taxes. The discussion included expressed concerns for the levy burden for taxpayers at 12 million dollar or greater level.

The Park and Recreation Board representatives inquired whether or not the Town Council would be supportive of moving forward with at least Phase I of the Capital plan. The Park and Recreation Board representatives determined to reflect further on some of the remaining undecided matters in the capital plan, such as whether or not to reconstruct to retain day care leaseholds or to construct instead a Fitness Center option.

There being no further business to discuss by the Town Council or the others present, the study session following the regular meeting on Monday, August 11, 2008 was adjourned at 10:07 O'clock P.M.

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer